



# Oregon

John A. Kitzhaber, MD, Governor

## Public Utility Commission

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November 5, 2012

Marlene H. Dortch

Office of the Secretary

Federal Communications Commission

445 12<sup>th</sup> Street, SW, Room TW-A306

Washington, DC 20554

Universal Service Administrative Company

Customer Operations

2000 L Street, NW, Suite 200

Washington, DC 20036

RE: New ETC Designation for Federal Universal Service Support (Lifeline-only)  
CC Docket No. 96-45, WC Docket No. 11-42

This letter is to inform you that the Public Utility Commission of Oregon designated T-Mobile West as an Eligible Telecommunications Carrier for the limited purpose of Lifeline-only support, effective November 1, 2012. A copy of the Commission's Order No. 12-422 approving T-Mobile's request for designation is attached.

The service area for which T-Mobile has been designated in Oregon is comprised of the areas of the wire centers listed in Exhibit A of T-Mobile's Amended Application submitted on April 20, 2012 in docket UM 1511. A copy of Exhibit A is attached immediately following this letter. The areas for all wire centers listed, including Tribal Lands, are fully included in the designated service area; there are no partial wire center designations. T-Mobile has been designated to offer Tribal Lifeline services, per the terms outlined in its Amended Application, on the Tribal Lands included in the wire centers listed in Exhibit A. Additionally, there is no need to redefine any rural incumbent local exchange carrier (ILEC) study areas as a result of this filing; any rural ILEC study area that is not fully included has already been redefined.

If you have any questions regarding this designation, please call me at (503) 378-6730 or send an e-mail to [Kay.Marinos@state.or.us](mailto:Kay.Marinos@state.or.us).

Thank you.

Kay Marinos

Manager

Telecommunications Division

Attachments



(T-Mobile Application)

## ETC Service Area

Operating Carrier Name	Wire Center Code	Names
Beaver Creek Cooperative Telephone Co.	BVCKOR	Beaver Creek
Canby Telephone Association	CNBYOR	Canby
Canby Telephone Association	NEDYOR	Needy
Cascade Utilities Inc.	CRBTOR	Corbett
Cascade Utilities Inc.	EGCKOR	Eagle Creek
Cascade Utilities Inc.	ESCDOR	Estacada
Cascade Utilities Inc.	HANSOR	Haines
CenturyTel of Eastern Oregon, Inc.	BDMNOR	Boardman
CenturyTel of Eastern Oregon, Inc.	DRANOR	Drain
CenturyTel of Eastern Oregon, Inc.	DURKOR	Durkee
CenturyTel of Eastern Oregon, Inc.	ECHOR	Echo
CenturyTel of Eastern Oregon, Inc.	GVCNOR	Government Camp
CenturyTel of Eastern Oregon, Inc.	HNTNOR	Huntington
CenturyTel of Eastern Oregon, Inc.	NPWROR	North Powder
CenturyTel of Eastern Oregon, Inc.	PLRKOR	Pilot Rock
CenturyTel of Eastern Oregon, Inc.	SHDDOR	Shedd
CenturyTel of Oregon, Inc.	AURROR	Aurora
CenturyTel of Oregon, Inc.	BWVLOR	Brownsville
CenturyTel of Oregon, Inc.	CHBUOR	Charbonneau
CenturyTel of Oregon, Inc.	CRWLOR	Creswell
CenturyTel of Oregon, Inc.	KNPPOR	Knappa
CenturyTel of Oregon, Inc.	LBNNOR	Lebanon
CenturyTel of Oregon, Inc.	SCPPOR	Scappoose
CenturyTel of Oregon, Inc.	SWTHOR	Sweet Home
CenturyTel of Oregon, Inc.	YNCLOR	Yoncalla
Clear Creek Mutual Telephone Co.	RDLTOR	Redland
Colton Telephone Co.	COTNOR	Colton
Frontier Communications Northwest, Inc. - OR	ALOHOR	Aloha
Frontier Communications Northwest, Inc. - OR	AMTYOR	Amity
Frontier Communications Northwest, Inc. - OR	AMVLOR	Aumsville
Frontier Communications Northwest, Inc. - OR	BNKSOR	Banks
Frontier Communications Northwest, Inc. - OR	BVTNOR	Beaverton
Frontier Communications Northwest, Inc. - OR	CLTSOR	Clatskanie
Frontier Communications Northwest, Inc. - OR	DYTNOR	Dayton
Frontier Communications Northwest, Inc. - OR	FRGVOR	Forest Grove
Frontier Communications Northwest, Inc. - OR	GDISOR	Grand Island
Frontier Communications Northwest, Inc. - OR	GRHMOR	Gresham
Frontier Communications Northwest, Inc. - OR	GSTNOR	Gaston
Frontier Communications Northwest, Inc. - OR	HDLTOR	Hoodland
Frontier Communications Northwest, Inc. - OR	HLBOOR	Hillsboro
Frontier Communications Northwest, Inc. - OR	MLCYOR	Mill City
Frontier Communications Northwest, Inc. - OR	MMVLOR	McMinnville
Frontier Communications Northwest, Inc. - OR	MRPHOR	Murphy
Frontier Communications Northwest, Inc. - OR	NWBROR	Newburg

Frontier Communications Northwest, Inc. - OR	ORNTOR	Orient
Frontier Communications Northwest, Inc. - OR	SCHLOR	Scholls
Frontier Communications Northwest, Inc. - OR	SHWDOR	Sherwood
Frontier Communications Northwest, Inc. - OR	SLTNOR	Silverton
Frontier Communications Northwest, Inc. - OR	SMRWOR	Somerset West
Frontier Communications Northwest, Inc. - OR	SNDYOR	Sandy
Frontier Communications Northwest, Inc. - OR	SNSDOR	Sunnyside
Frontier Communications Northwest, Inc. - OR	STFROR	Stafford
Frontier Communications Northwest, Inc. - OR	TGRDORXA	Tigard
Frontier Communications Northwest, Inc. - OR	TGRDORXC	Bull Mountain
Frontier Communications Northwest, Inc. - OR	TRNROR	Turner
Frontier Communications Northwest, Inc. - OR	TULTOR	Tualatin
Frontier Communications Northwest, Inc. - OR	VYVWOR	Valley View
Frontier Communications Northwest, Inc. - OR	WIVLOR	Wilsonville
Frontier Communications Northwest, Inc. - OR	YMHFOR	Yamhill
Gervais Telephone Co.	GRVSOR	Gervais
Helix Telephone Co.	HELXOR	Helix
Helix Telephone Co.	MCHMOR	Meacham
Molalla Telephone Co.	MLLOR	Molalla
Monitor Cooperative Telephone Co.	MNTROR	Monitor
Monroe Telephone Co.	MONROR	Monroe
Mt. Angel Telephone Co.	MTANOR	Mt. Angel
Nehalem Telecomms Inc.	NHLMOR	Nehalem
Peoples Tel Co	LYNSOR	Lyons
Qwest Corporation	ADAROR	Adair
Qwest Corporation	ALBYOR	Albany
Qwest Corporation	ASLDOR	Ashland
Qwest Corporation	ASTROR	Astoria
Qwest Corporation	ATHNOR	Athena-Weston
Qwest Corporation	BAKROR	Baker City
Qwest Corporation	BENDOR	Bend
Qwest Corporation	BLBTOR	Black Butte
Qwest Corporation	BURLOR	Burlington
Qwest Corporation	CLVROR	Culver
Qwest Corporation	CNBHOR	Cannon Beach
Qwest Corporation	CNPNOR	Central Point
Qwest Corporation	CRVSOR	Corvallis
Qwest Corporation	CTGVOR	Cottage Grove
Qwest Corporation	DLLSOR	Dallas
Qwest Corporation	EUGNOR28	River Road
Qwest Corporation	EUGNOR53	Eugene-10th Ave
Qwest Corporation	FLCYOR	Falls City
Qwest Corporation	FLRNOR	Florence
Qwest Corporation	GLHLOR	Gold Hill
Qwest Corporation	GRPSOR	Grants Pass
Qwest Corporation	HMTNOR	Hermiston
Qwest Corporation	INDPOR	Independence
Qwest Corporation	JCVLOR	Jacksonville
Qwest Corporation	JFSNOR	Jefferson

Qwest Corporation	JNCYOR	Junction City
Qwest Corporation	KLFLOR	Klamath Falls
Qwest Corporation	LAPIOR	La Pine
Qwest Corporation	LEBGOR	Leaburg
Qwest Corporation	LKOSOR	Lake Oswego
Qwest Corporation	LWLLOR	Lowell
Qwest Corporation	MDFDOR	Medford
Qwest Corporation	MDRSOR	Madras
Qwest Corporation	MLTNOR	Milton Freewater
Qwest Corporation	MLWKOR	Milwaukie
Qwest Corporation	MRCJOR	Marcola
Qwest Corporation	NPLNOR	North Plains
Qwest Corporation	NWPTOR	Newport
Qwest Corporation	NYSSOR	Nyssa
Qwest Corporation	ONTROR	Ontario
Qwest Corporation	ORCYOR	Oregon City
Qwest Corporation	ORSJOR	Oregon Slope
Qwest Corporation	PHNXOR	Phoenix
Qwest Corporation	PNTNOR	Pendleton
Qwest Corporation	PRVLOR	Prineville
Qwest Corporation	PTLDOR02	Cypress
Qwest Corporation	PTLDOR08	Harold
Qwest Corporation	PTLDOR11	Alpine
Qwest Corporation	PTLDOR12	Atlantic
Qwest Corporation	PTLDOR13	Belmont
Qwest Corporation	PTLDOR14	Butler
Qwest Corporation	PTLDOR17	Cherry
Qwest Corporation	PTLDOR18	Prospect
Qwest Corporation	PTLDOR69	Capitol
Qwest Corporation	RANROR	Rainier
Qwest Corporation	RDMDOR	Redmond
Qwest Corporation	RGRVOR	Rouge River
Qwest Corporation	RSBGOR	Roseburg
Qwest Corporation	SALMOR58	Salem
Qwest Corporation	SALMOR59	Keizer
Qwest Corporation	SESDOR	Seaside
Qwest Corporation	SPFDOR	Springfield
Qwest Corporation	SPRVOR	Spring River
Qwest Corporation	SSTROR	Sisters
Qwest Corporation	STFDOR	Stanfield
Qwest Corporation	STHNOR	St. Helens
Qwest Corporation	STHROR	Sutherlin
Qwest Corporation	UMTLOR	Umatilla
Qwest Corporation	VENTOR	Veneta
Qwest Corporation	WDBNOR	Woodburn
Qwest Corporation (OREGON PORTION ONLY)	WLWLWA	Walla Walla
Qwest Corporation	WNTNOR	Winston
Qwest Corporation	WRTNOR	Warrenton
Qwest Corporation	WSPTOR	Westport

Roome Telecommunications, Inc	HLSYOR	Halsey
Scio Mutual Telephone Association	SCIOOR	Scio
St Paul Cooperative Telephone Association	STPLOR	St. Paul
Stayton Cooperative Telephone Co.	STTNOR	Stayton
United Telephone of the Northwest	ARTNOR	Arlington
United Telephone of the Northwest	BYCYOR	Bay City
United Telephone of the Northwest	CODLOR	Cloverdale
United Telephone of the Northwest	CRTOOR	Carlton
United Telephone of the Northwest	CSLCOR	Cascade Locks
United Telephone of the Northwest	GRBLOR	Garibaldi
United Telephone of the Northwest	GRRNOR	Grand Rhonde
United Telephone of the Northwest	HDRVOR	Hood River
United Telephone of the Northwest	LNCYOR	Lincoln City
United Telephone of the Northwest	MOSROR	Mosier
United Telephone of the Northwest	ODLLOR	Odell
United Telephone of the Northwest	PCCYOR	Pacific City
United Telephone of the Northwest	PRDLOR	Parkdale
United Telephone of the Northwest	RKWYOR	Rockaway
United Telephone of the Northwest	RUFSOR	Rufus
United Telephone of the Northwest	SHCVOR	Shady Cove
United Telephone of the Northwest	SHRDOR	Sheridan
United Telephone of the Northwest	THDLOR	The Dalles
United Telephone of the Northwest	TLMKOR	Tillamook
United Telephone of the Northwest	WASCOR	Wasco
United Telephone of the Northwest	WHCYOR	White City
United Telephone of the Northwest	WLMNOR	Willamina

ORDER NO.

12 4 22

ENTERED

NOV 01 2012

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1511

In the Matter of

T-MOBILE WEST CORPORATION,

Application for Designation as an Eligible  
Telecommunications Carrier and Request  
for Supplemental Certification on Use of  
Funds.

ORDER

DISPOSITION: STIPULATION ADOPTED; APPLICATION GRANTED

**I. SUMMARY**

In this order, we grant the application filed by T-Mobile West Corporation for designation as an Eligible Telecommunications Carrier (ETC), and designation as an Eligible Telecommunications Provider (ETP). Our actions enable T-Mobile to receive federal Universal Service Fund (USF) support and support from the Oregon Residential Service Protection Fund (RSPF) for the provision of Lifeline services.

**II. BACKGROUND**

The Telecommunications Act of 1996 (the Act) has, among its goals, the promotion of quality services at just, reasonable and affordable rates, access to advanced telecommunications and information services, and access to services in rural areas comparable to services in urban areas. Integral to the Act is a national policy that every household have, at a minimum, the equivalent of single-line, basic voice-grade, telephone service, often referred to as "Lifeline" service. To that end, it provides for the establishment of a federal Universal Service Fund which provides financial support to designated providers of telecommunications services. A carrier that meets the standards necessary to receive federal USF support is designated an ETC.

An ETC that is an incumbent local exchange carrier (ILEC) receives USF support based on the cost of providing supported services. A competitive ETC (CETC) only receives USF support for customers it serves in areas where USF support is distributed to ILEC ETCs. A CETC can offer services using either its own facilities or a combination of its own facilities and resale of another carrier's services, but the CETC only gets support for services provided over its own facilities, unless the Federal Communications Commission (FCC) has ruled that the CETC has satisfied an alternative set of conditions.

The federal requirements for ETC designation are set forth in 47 U.S.C. § 214(e)(2) and 47 C.F.R. Section 54 of the FCC rules. Under 47 U.S.C. § 214(e)(2), state commissions are empowered to designate ETCs to receive federal universal service support and Oregon has done so.

The Oregon requirements for ETC designation were established in Order No. 06-292 (ETC Order) in docket UM 1217. An itemized "checklist" was attached to the order and consists of two parts: the "Initial Designation—Application Requirements" and the "Annual Recertification Requirements." One of those requirements is to offer Lifeline and Oregon Telephone Assistance Program (OTAP) services. In order to offer Lifeline and OTAP services in Oregon, an ETC must receive designation as an ETP. ETP requirements are found in the Commission's Oregon Administrative Rules ("OARs") for the RSPF. Requirements for ETC and ETP designation are addressed in the discussion of T-Mobile's Amended Application.

### III. PROCEDURAL HISTORY

On December 8, 2010, T-Mobile filed an initial application for designation as an ETC and request for supplemental certification on use of funds. A prehearing conference was held on March 3, 2011, and a workshop was held on April 28, 2011. The Citizens' Utility Board of Oregon (CUB), the Oregon Cable Telecommunications Association (OCTA), and U. S. Cellular Corporation joined as parties to this proceeding and, with the exception of OCTA, participated in the workshop along with the applicant and the Commission Staff.<sup>1</sup>

During the pendency of this proceeding, the FCC, on November 18, 2011, issued its USF/ICC Transformation Order (FCC 11-161), in which it modified the required supported services in 47 C.F.R. § 54.101 and the additional requirements for designation as an ETC in 47 C.F.R. § 54.202. On February 6, 2012, the FCC issued its Lifeline Reform Order (FCC 12-11) that addressed Lifeline issues relevant to T-Mobile's initial application.

On April 20, 2012, T-Mobile filed an Amended Application for Designation as an Eligible Telecommunications Carrier for the Limited Purpose of Lifeline-Only Support and for designation as an ETP. The key changes that the amended application made to the initial application were: (1) requesting Lifeline-only support rather than both Lifeline and high-cost support; (2) modifying the proposed ETC Designated Service Area; and (3) incorporating requirements set forth in the FCC's USF/ICC Transformation Order and Lifeline Reform Order.

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<sup>1</sup> OCTA took no part in the proceedings after its intervention. Although U. S. Cellular participated in the workshop and settlement conferences, it did not take part in the proceedings; it has no objections to the stipulation. (Joint/100 at 2). OCTA and U. S. Cellular are not included in this order's use of the phrase "the Parties."

On October 8, 2012, the parties filed a stipulation settling all issues. The stipulation is attached as Appendix A. The stipulation was accompanied and supported by joint testimony of the parties.<sup>2</sup>

#### IV. THE AMENDED APPLICATION

The Amended Application organizes its responses for addressing the criteria for ETC and ETP certification by the following areas:

##### A. The Applicant

T-Mobile is a national facilities-based provider of wireless voice, messaging, and data services serving approximately 33 million mobile customers nationwide.<sup>3</sup> T-Mobile has its own switching, transport, cell sites, and associated telecommunications facilities. In Oregon, T-Mobile has obtained interconnection agreements with twenty-five local exchange carriers and has deployed hundreds of cell sites. T-Mobile currently employs more than 1100 people within the state of Oregon and holds radio licenses issued by the FCC to provide Commercial Mobile Radio Service (CMRS) throughout the state of Oregon and specifically within its requested ETC designated service area. At the time of the filing of its Amended Application, T-Mobile and its corporate affiliates were designated as ETCs in nine states and Puerto Rico, and had requests pending before the FCC and state commissions for numerous other states.<sup>4</sup>

##### B. Proposed Services

T-Mobile will offer a combined Lifeline/OTAP monthly discount of \$12.75 (\$9.25 from the federal program and \$3.50 in OTAP support from the RSPF) on all of its generally available post-paid service offerings that include basic telephone service. The company will voluntarily contribute an additional \$0.75 to the combined \$12.75 Lifeline/OTAP discount for a total benefit of \$13.50 to the eligible customer. These service offerings are described more fully in T-Mobile's Amended Application. In addition, the company will offer a post-paid Lifeline/OTAP service for \$6.49 that includes 145 "Whenever Minutes", 500 "night minutes", 500 "weekend minutes", an overage rate of five cents per minute, and an affordable handset. T-Mobile will also offer Tribal Lifeline service for \$1 per month to qualifying residents of federally-recognized Tribal lands. T-Mobile's Lifeline/OTAP service offerings are not of the pre-paid variety. Also, customers are responsible for payment of the monthly charges that remain after application of the Lifeline/OTAP discount in order for service to continue; T-Mobile will not offer a Lifeline/OTAP service that is free (no charge) to the customer.

<sup>2</sup> We grant the associated motion to offer stipulation and testimony, along with supporting affidavits and motions to admit affidavits, as evidence in these proceedings and enter the stipulation and testimony into the record.

<sup>3</sup> Since the filing of its Amended Application, T-Mobile West Corporation was converted to a Delaware limited liability company, and the name of the company is now T-Mobile West LLC. T-Mobile West LLC filed a letter on August 2, 2012, indicating it did not seek to effect any change to the amended application as a result of the conversion.

<sup>4</sup> Amended Application at 2-3, Joint/100 at 4-5.



**C. Federal and State Support**

T-Mobile will receive \$9.25 from the federal Lifeline program and \$3.50 in OTAP support from the RSPF for each non-Tribal Lifeline customer. Support for Tribal Lifeline service is larger and is determined and provided solely by the federal program; there is no OTAP support for Tribal Lifeline service.

**D. Service Area**

T-Mobile will offer Lifeline/OTAP services to customers residing in the wire centers listed in Exhibit A and depicted on the map in Exhibit D of the Amended Application. T-Mobile will also offer Tribal Lifeline services to qualified residents of federally recognized Tribal Lands that fall within those areas. T-Mobile represents in its application that it has wireless coverage throughout the requested designated service area.

**E. Legal and Regulatory Standards; Requirements for Federal ETC Certification**

The FCC's rules require that ETCs offer a number of specific "supported" services and functionalities which generally constitute voice-grade access to the public switched network and certain services such as E911. 47 C.F.R. § 54.101. The rules also require that ETCs commit to meet several specific obligations. 47 C.F.R. §§ 54.201, 54.202. In its November 2011 USF/ICC Transformation Order and February 2012 Lifeline Reform Order, the FCC modified some of its rules, but none of the changes preclude requirements included in the Commission's ETC Order. The FCC also added several new requirements for ETCs designated to provide Lifeline services. T-Mobile's Amended Application addresses these changes and states the company's commitment to comply with all relevant FCC ETC requirements.

**F. Requirements for ETC Designation in Oregon**

To obtain ETC designation in Oregon, an applicant must file an application demonstrating the following: (1) common carrier status, (2) commitment and ability to provide all supported services throughout the designated service area, (3) types of facilities used to offer supported services (including certain maps), (4) commitment to use support funds only for the intended purposes, (5) commitment to advertise supported services throughout the service area, (6) commitment to offer and advertise Lifeline and OTAP services, (7) ability to remain functional in emergencies, and (8) commitment to meet service quality and consumer protection standards. In addition, the applicant must demonstrate that designation is in the public interest. Lastly, the applicant must agree to file annual reports with the Commission for items that are specified in the ETC Order. T-Mobile's Amended Application provides detailed information demonstrating the company's ability and commitment to comply with all relevant Oregon ETC designation requirements.

**G. Requirements for ETP Designation and OTAP Participation**

The Commission's requirements for ETP designation and participation in the OTAP are specified in OAR 860-033-0001 through 860-033-0046. Also, an ETP must agree to adhere to OTAP policies and procedures. The rules describe the general provisions, remittance reports and payment for the monthly RSPF surcharge that funds the support available from the OTAP. An applicant for ETP status must comply with the rules that specify the OTAP discount amount and how it must be applied. The rules define an eligible low-income customer for the Lifeline/OTAP service and also contain accounting, reporting, and auditing requirements with which an ETP must comply to enable the Commission to identify and reconcile OTAP disbursements to the ETP. An ETP applicant must agree to abide by all the requirements in the rules and may be entitled to a one-time compensation from the RSPF for enrolling a new Lifeline/OTAP customer. In addition, an ETP must also obtain federal ETC status so it can receive federal Lifeline support to combine with state OTAP support. T-Mobile's Amended Application provides detailed information demonstrating the company's ability and commitment to comply with all relevant Oregon ETP designation and OTAP participation requirements to offer Lifeline service.

**H. Waiver Requests**

T-Mobile does not request, nor does it require, any waivers of Commission rules. Furthermore, it agrees to collect and remit not only the RSPF surcharge, but the Oregon 911 tax applicable to its Lifeline customers, as it currently does for its non-Lifeline customers.

**I. Compliance with RSPF Policies and Procedures**

T-Mobile commits in its Amended Application to comply with our RSPF policies and procedures. Amended Application at 18-19. T-Mobile will make people available to serve as the required contacts with RSPF Staff, and agrees that RSPF Staff will perform the eligibility verification functions for Lifeline/OTAP.

T-Mobile also recognizes that Staff is in the process of implementing changes required by the FCC Lifeline Reform Order, and agrees to abide by the resulting requirements.

**V. THE STIPULATION**

The parties agree that the T-Mobile Amended Application meets both the federal requirements and the Oregon ETC "checklist" requirements.

Similarly, the stipulating parties agree that T-Mobile meets all of the applicable ETP requirements set out in Oregon statutes and Commission rules. T-Mobile agrees to abide by and perform all of the stipulation's terms regarding Oregon Lifeline customers.

T-Mobile's designated service area consists of the wire centers listed in Exhibit A to the stipulation and T-Mobile represents that it has complete coverage throughout each wire center and will be able to serve all customers residing in those areas. T-Mobile

represents that it will provide service to eligible persons on Tribal lands within the designated areas.

In addition to complying with the conditions prescribed by the FCC and the initial designation checklist requirements, T-Mobile represents that it will meet all of the annual recertification requirements.

## VI. FINDINGS OF FACT AND CONCLUSIONS OF LAW

We have reviewed the T-Mobile Amended Application, the stipulation, the joint testimony in support of the stipulation, and the representations and commitments made within them. We find that the Amended Application is in compliance with the Commission's applicable rules and the policies set forth in our prior orders with respect to achieving ETC and ETP status in the state of Oregon.

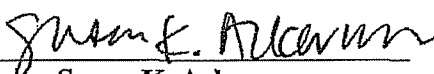
We conclude that granting the T-Mobile Amended Application and designating T-Mobile as an ETC and ETP within the designated service areas will result in offering the public in Oregon an increase in the availability of basic telecommunications services at just and reasonable rates. The Amended Application is in the public interest and should be granted.

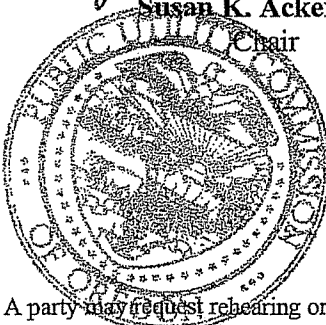
## VII. ORDER

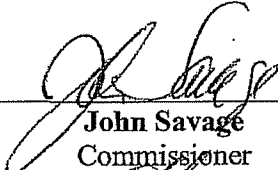
IT IS ORDERED that:


1. The stipulation between T-Mobile, the Staff of the Public Utility Commission of Oregon, and the Citizens' Utility Board of Oregon, attached to this order as Appendix A, is adopted.
2. The T-Mobile West Corporation Amended Application is granted.

Made, entered, and effective NOV 01 2012

  
 Susan K. Ackerman  
 Chair



  
 John Savage  
 Commissioner

  
 Stephen M. Bloom  
 Commissioner

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON

UM 1511

In the Matter of T-Mobile West LLC's  
Application for Designation as an Eligible  
Telecommunications Carrier.

STIPULATION

Certain parties to this case have entered into a Stipulation for the purpose of resolving all issues related to T-Mobile West LLC's ("T-Mobile's" or "the Company's") request for Designation as an Eligible Telecommunications Carrier ("ETC") and as an Eligible Telecommunications Provider ("ETP") for purposes of participating in the Oregon Telephone Assistance Program ("OTAP").

PARTIES

1. The parties to this Stipulation are T-Mobile, Staff of the Public Utility Commission of Oregon ("Staff"), and the Citizens' Utility Board of Oregon ("CUB") (together, "the Parties"). This Stipulation will be made available to the other parties to this docket, who may participate by signing and filing a copy of the Stipulation.<sup>1</sup>

BACKGROUND

2. On December 8, 2010, T-Mobile West Corporation filed an initial Application for Designation as an Eligible Telecommunications Carrier and Request for Supplemental Certification on Use of Funds.

3. Administrative Law Judge ("ALJ") Allan J. Arlow convened a prehearing conference on March 3, 2011. Pursuant to the prehearing conference order, Staff convened a workshop on April 28, 2011. The Parties and U.S. Cellular Corporation ("U.S. Cellular") participated in the workshop.

<sup>1</sup> U.S. Cellular participated in settlement conferences and does not oppose the Stipulation. Oregon Cable Telecommunications Association did not participate in any docket activities.

1           4.    On June 2, 2011, T-Mobile filed direct testimony in support of its initial  
2 Application.

3           5.    On June 14, 2011, the Parties and U.S. Cellular met for a scheduled settlement  
4 conference. The parties to the settlement conference agreed to continue settlement  
5 discussions at the next scheduled settlement conference set for July 13, 2011, and requested  
6 that the procedural schedule be suspended in the interim.

7           6.    On June 22, 2011, ALJ Arlow granted the request to suspend the procedural  
8 schedule pending the July 13, 2011 settlement.

9           7.    The Parties and U.S. Cellular convened a settlement conference on July 13,  
10 2011 and continued settlement discussions after that date.

11          8.    On November 18, 2011, the Federal Communications Commission ("FCC")  
12 issued its USF/ICC Transformation Order (FCC 11-161), in which it modified the required  
13 supported services in 47 C.F.R. § 54.101 and the additional requirements for designation as  
14 an ETC in 47 C.F.R. § 54.202.

15          9.    On February 6, 2012, the FCC issued its Lifeline Reform Order (FCC 12-11) that  
16 addressed Lifeline issues relevant to the Company's Application.

17          10.   The Company filed an Amended Application for Designation as an Eligible  
18 Telecommunications Carrier for the Limited Purpose of Lifeline-Only Support ("Amended  
19 Application") and for designation as an ETP on April 20, 2012.<sup>2</sup> The key changes that the  
20 Company's Amended Application made to the Application were: (1) requesting Lifeline-only  
21 support rather than both Lifeline and high-cost support; (2) modifying the proposed ETC  
22 Designated Service Area; and (3) incorporating requirements set forth in the FCC's USF/ICC  
23 Transformation Order and Lifeline Reform Order.

24 \_\_\_\_\_  
25 <sup>2</sup> Since the filing of its Amended Application, T-Mobile West Corporation was converted to a Delaware  
26 limited liability company, and the name of the company is now T-Mobile West LLC. T-Mobile West LLC  
filed a letter on August 2, 2012 indicating it does not seek to effect any change to the Amended  
Application as a result of the conversion.

## 1 AGREEMENT

2 11. The Parties agree that the Company's Amended Application meets the  
3 requirements for designation as an Eligible Telecommunications Carrier set forth in  
4 Commission Order No. 06-292 and the relevant provisions of 47 Code of Federal Regulations  
5 Section 54, and the requirements for designation as an ETP as set forth in the Commission's  
6 administrative rules governing the Residential Service Protection Fund ("RSPF"), specifically  
7 Oregon Administrative Rules (OARs) 860-033-0001 through 860-033-0046.

8 12. T-Mobile agrees to fulfill all commitments made in the Amended Application. T-  
9 Mobile's designated service area shall be comprised of the wire centers listed in Exhibit A of  
10 its Amended Application and shall include federally-recognized Tribal lands located within  
11 those wire centers.

12 13. T-Mobile will offer a combined Lifeline/OTAP monthly discount of \$12.75, which  
13 consists of \$9.25 from the federal program and \$3.50 from the Residential Service Protection  
14 Fund. T-Mobile will voluntarily contribute an additional \$0.75 to the combined \$12.75  
15 Lifeline/OTAP discount for a total benefit of \$13.50 to the eligible customer. T-Mobile will  
16 provide a 30-day notice to Commission staff prior to reducing or eliminating the \$0.75  
17 voluntary contribution amount.

18 14. The Parties support the Amended Application and request that the Commission  
19 approve the Amended Application.

20 15. This Stipulation will be offered into the record as evidence pursuant to OAR 860-  
21 001-0350(7). The Parties agree to support this Stipulation throughout this proceeding and any  
22 appeal, provide witnesses to sponsor this Stipulation at hearing, if needed, and recommend  
23 that the Commission issue an order adopting the Stipulation.

24 16. If this Stipulation is challenged by any other party to this proceeding, the Parties  
25 agree that they will continue to support the Commission's adoption of the terms of this  
26 Stipulation. The Parties reserve the right to cross-examine witnesses and put in such

1 evidence as they deem appropriate to respond fully to such issues presented including the  
2 right to raise issues that are incorporated in the settlements embodied in this Stipulation.

3 17. The Parties have negotiated this Stipulation as an integrated document. If the  
4 Commission rejects all or any material portion of this Stipulation or imposes additional material  
5 conditions in approving this Stipulation, any Party shall have the right to withdraw from the  
6 Stipulation, along with any other rights provided in OAR 860-001-0350(9), including the right  
7 to present evidence and argument on the record in support of the Stipulation, and shall be  
8 entitled to seek reconsideration pursuant to OAR 860-001-0720.

9 18. By entering into this Stipulation, no Party shall be deemed to have approved,  
10 admitted, or consented to the facts, principles, methods, or theories employed by any other  
11 Party in arriving at the terms of this Stipulation, other than as specifically identified in the body  
12 of this Stipulation. No Party shall be deemed to have agreed that any provision of this  
13 Stipulation is appropriate for resolving issues in any other proceeding, except as specifically  
14 identified in this Stipulation.

15 19. This Stipulation may be executed in counterparts and each signed counterpart  
16 shall constitute an original document.

17 This Stipulation is entered into by each Party on the date entered below such Party's  
18 signature.

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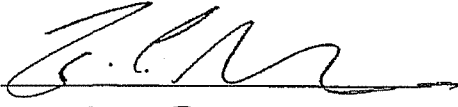
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